

Docket No.: 1527/1E848US3

(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Arthur ASHMAN

Application No.: Not Yet Assigned

Group Art Unit: 3763

Filed: Concurrently Herewith

Examiner: Ann Y. Lam

For:

COMBINATION SYRINGE AND

ASPIRATOR FOR BONE REGENERATION MATERIAL AND METHOD FOR USING

THE IMPROVED SYRINGE

INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

In order to comply with the Duty of Disclosure under 37 C.F.R. § 1.56 and in accordance with 37 C.F.R § § 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08a. Pursuant to 37 CFR 1.56, it is respectfully requested that the information be expressly considered during the prosecution of this application, and indicated as such by initialing next to each reference even if the Examiner does not consider the reference to be relevant or prior art and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement accompanies the new divisional patent application submitted herewith.

Copies of those patent(s) or publication(s) which are marked with an asterisk (*) in the attached form PTO/SB/08a (facsimile) are not supplied because they were previously cited by or

Docket No.: 1527/1E848US3

submitted to the Office in either prior application no. 10/132,793, filed April 24, 2002, now pending, application number 09/086,604, filed May 29, 1998, now U.S. Patent No. 6,554,803, and/or U.S. application number 08/831,914, filed April 2, 1997, now pending, which are relied upon in this application for an earlier filing date under 35 U.S.C. 120.

While the information and references disclosed in this Information Disclosure Statement are submitted pursuant to 37 CFR 1.56, it is not intended to constitute an admission that any patent, publication or other information referred to therein is relevant or "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

Although it is believed that no fee is due, the Commissioner is authorized to charge any deficiency of up to \$300.00 or credit any excess in this fee to Deposit Account No. 04-0100.

Dated: July 29, 2003

Respectfully submitted,

Kevin L. Reiner

Registration No.: 43,040 DARBY & DARBY P.C.

P.O. Box 5257

New York, New York 10150-5257

(212) 527-7700

(212) 753-6237 (Fax)

Attorneys/Agents For Applicant

PTO/SB/08a/b (05-03)
Approved for use through 05/31/2003. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Complete if Known Substitute for form 1449/PTO Not Yet Assigned Application Number INFORMATION DISCLOSURE Concurrently Herewith Filing Date STATEMENT BY APPLICANT First Named Inventor Arthur Ashman 3763 Art Unit (use as many sheets as necessary) Examiner Name Ann Y. Lam 1527/1E848US3 1 1 Attorney Docket Number Sheet

			U.\$. I	PATENT DO	CUMENTS		_
Examiner Initials*	Cite No.1	Document Number Number-Kind Code ² (if known)	Publication Date		Name of Patentee or oplicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevan Figures Appear	
	1.*	US-5,824,087	10-20-199	3 Aspden e	t al.		
	2.*	US-5,330,357	7-19-1994	Keller		•	_
	3.*	US-5,324,273	6-28-1994	Discko Jr	•		
	4.*	US-5,269,785	12-14-199	Bonutti			
	5.*	US-5,267,859	12-07-199	B Discko, J	r		
	6.*	US-5,181,918	01-26-199	Brandhor	st et al.		
	7.*	US-5,026,283	06-25-199	1 Osanai et	al.		
	8.*	US-4,911,641	03-27-199	Detsch			
	9.*	US-4,902,421	02-20-199) Pascale e	et al.		
		US-4,859,336	08-22-198	Savas et	al.	,	
	11.*	US-4,784,607	11-15-198	B Francois			
		US-4,751,921	06-21-198				
	13.*	US-4,728,570	03-01-198		et al.		
	14.*	US-4,569,662	02-11-198	6 Dragan			
	15.*	US-4,547,390	10-15-198		et al.	,	
	16.*	US-4,547,327	10-15-198				
	17.*	US-4,536,158	08-20-198		al.		
	18.*	US-4,535,485	08-20-198				
	19.*	US-4,366,822	01-04-198	3 Alshuler			
	20.*	US-4,244,689	01-13-198	1 Ashman			
	21.*	US-4,199,864	04-29-198	0 Ashman	·		
	22.*	US-4,192,305	03-11-198	0 Seberg			
	23.*	US-4,127,131	11-28-197	8 Vailancoι	urt		
	24.*	US-4,061,143	12-06-197	7 Ishikawa			
	25.*	US-2,857,913	10-28-195				
			FOREIG	N PATENT	DOCUMENTS		
Examiner Initials*	Cite No.1	Foreign Patent Document Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)		Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	т ⁶
				MM-DD-YYYY		or Relevant rigures Appear	
	26.*	2494580		5/1982	France		
	27.*	WO 9816268		04-23-199	PCT_		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the application number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²		

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant's unique citation designation number (optional). Applicant is to place a check mark here if English language Translation is attached.

Examiner	Date	
Signature	Considered	